

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PIMENIO VELA HERRERA,)	8:12CV321
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
TAMMY MOWRY, et al.,)	
)	
Defendants.)	

Plaintiff Pimenio Vela Herrera has filed a motion seeking the appointment of counsel. (Filing No. [54](#).) The court cannot routinely appoint counsel in civil cases. In [Davis v. Scott, 94 F.3d 444, 447 \(8th Cir. 1996\)](#), the Eighth Circuit Court of Appeals explained that “[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel. . . . The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel” [Id.](#) (quotation and citation omitted). No such benefit is apparent here. Thus, the request for the appointment of counsel is denied without prejudice to reassertion.

IT IS THEREFORE ORDERED that: Plaintiff’s Motion to Appoint Counsel (Filing No. [54](#)) is denied without prejudice.

DATED this 18th day of April, 2014.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge

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